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WRITTEN REPORT OF THE INTERNATIONAL SEARCH AUTHORITY

(ADDENDUM)

International Application No. PCT/DE2004/001351

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regarding item V.

Reasoned statement under Rule 43bis.1(a)(i) with regard
to novelty, inventive step and industrial applicability

1. PRIOR ART

The following documents are cited in this report:

D1: WO-A-98/06604
D2: EP-B-0 980 323
D3: WO-A-90/03289
D4: WO-A-02/068246
D5: WO-A-89/11986
D6: DE-A-195 37 546

2. NOVELTY - PCT ARTICLE 33(2)

The present Application does not meet the requirements of
PCT Article 33(1) because the subject matter of **Claims 1
through 7, 9 through 16, and 18** is not novel as defined
by PCT Article 33(2).

2.1 Independent apparatus claim 1

D1 (see esp. page 2, lines 20-37; page 3, line 26 - page
5, line 30; Figs. 1 and 5) discloses:

An apparatus for detecting impact of a moving vehicle,
comprising:

- a first sensor device (11) for acquiring an
acceleration in an acquisition direction that is
coincident with the direction of motion of the vehicle

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(see Fig. 5), and for outputting a first acceleration signal;

- a second sensor device (12) for acquiring an acceleration in an acquisition direction that is perpendicular to the direction of motion of the vehicle (see Fig. 5) and for outputting a second acceleration signal; and

- an evaluation device (2) for evaluating the first and the second acceleration signal in such a way that a classification of an impact is made available by means of a classification signal as a function of accelerations in two directions of motion (see page 4, lines 18-24).

All the technical features of **Claim 1** are already known from **D1**. The subject matter of Claim 1 is therefore not novel.

It should also be noted that the subject matter of Claim 1 is also anticipated by **D2** (see paras. 8, 9, 18, 19, 23; Figs. 1 and 3), **D3** (see page 2, line 23 - page 4, line 21; page 5, line 33 - page 6, line 30; Figs. 1, 2, and 4), **D4** (see page 5, line 11 - page 7, line 14, page 13, line 18 - page 14, line 7, and Fig. 1), **D5** (see page 2, line 21 - page 4, line 8; page 7, line 1 - page 8, line 24; Fig. 1), and **D6** (see col. 2, line 53 - col. 3, line 21; col. 5, line 7 - col. 6, line 14; col. 6, lines 27-47; Figs. 1, 4, and 6).

2.2 Independent method claim 13

The independent method claim 13 contains the method features corresponding to apparatus claim 1. Since **D1** through **D6** also disclose a method for detecting an impact by means of the previously mentioned apparatus, the

subject matter of Claim 13 is also anticipated by D1 through D6.

2.3 Dependent claims 2 through 7, 9 through 12, 14 through 16, and 18

The subject matter of Claims 2 through 7, 9 through 12, 14 through 16, and 18 is also not novel:

- **Claims 2 through 4, 6, 14, 15:** see D1, page 3, lines 27-32.
- **Claims 5 and 16:** see D2, col. 6, lines 35-38.
- **Claims 7 and 9:** see D1, Fig. 1
- **Claim 10:** see D2, Fig. 3.
- **Claim 11:** see D1, page 2, lines 24-27 and page 4, lines 4-30.
- **Claims 12 and 18:** see D3, page 3, lines 14-26.

3. INVENTIVE STEP - PCT ARTICLE 33(3)

The subject matter of dependent **claims 8, 17, 19, and 20** represents simple variants of the apparatus or method for detecting impact, which are evidently trivial and a matter of skill in the art and evince no fundamental inventive step.